

Message Text

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EXDIS - MILITARY ADDRESSEES HANDLE AS SPECAT EXCLUSIVE

E.O. 11652: GDS
TAGS: MARR, RP
SUBJ: BASE DISCUSSIONS: MARCH 28 GOP AIDE MEMOIRE

PROVIDE BELOW IS FULL TEXT OF GOP AIDE MEMOIR PRESENTED AT MARCH 28
MEETING.

BEGIN QUOTE:

AIDE MEMOIRE

THE PHILIPPINE GOVERNMENT IS AWARE THAT A STATE OF CONTINUING
DEADLOCK BETWEEN THE PHILIPPINES AND THE UNITED STATES ON THE BASES
NEGOTIATIONS DOES NOT PROMOTE THE BEST INTERESTS OF BOTH COUNTRIES.
BOTH GOVERNMENTS RECOGNIZE THE NEED TO KEEP THE NEGOTIATING PROCESS
ALIVE, MAINTAIN THE MOMENTUM OF DISCUSSIONS AND ENSURE FURTHER PROGR
ESS.

IN THE HOPE THAT IT WOULD CONTRIBUTE TO THIS OBJECTIVE, THE
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PHILIPPINE GOVERNMENT FEELS THAT IT IS DESIRABLE TO FORMULATE NEW
APPROACHES.

IN THIS SPIRIT AND IN ITS DESIRE TO FACILITATE THE EARLY RESO-
LUTION OF THE MILITARY BASES NEGOTIATION, THE PHILIPPINE GOVERNMENT
WISHES TO STATE ITS PREFERENCE FOR THE SETTLEMENT OF THE ISSUE OF
SOVEREIGNTY ON A PRIORITY BASIS. THE MATTER OF "COMPENSATION" FOR THE

USE OF THE BASES SHALL BE CONSIDERED AS A SEPARATE ISSUE WHICH MAY BE DISCUSSED IN DETAIL AT AN APPROPRIATE TIME.

THE PHILIPPINE GOVERNMENT THEREFORE WISHED TO PROPOSE TO THE UNITED STATES GOVERNMENT THE TURN-OVER OF ALL BASE AREAS OCCUPIED BY THE UNITED STATES FORCES AT THE EARLIEST PRACTICABLE DATE.

IN THIS RESPECT, THE PHILIPPINES IS PREPARED TO DESIGNATE PHILIPPINE BASE COMMANDERS WHO SHALL RECEIVE THE MILITARY BASES FROM THE U.S. GOVERNMENT ON BEHALF OF THE PHILIPPINE GOVERNMENT. PHILIPPINE

BASE COMMANDERS SHALL CONTROL AND ADMINISTER THE MILITARY BASES IN ACCORDANCE WITH AGREED MECHANICS OF ADMINISTRATION.

AFTER THE TURN-OVER OF THE BASE AREAS, THE PHILIPPINES SHALL UNDERTAKE TO GIVE FULL PERMISSION TO THE U.S. TO USE THE BUILT-UP AREAS WITHIN THE PHILIPPINE MILITARY BASES IN WHICH ITS FACILITIES ARE PRESENTLY LOCATED. IN THIS CONNECTION, THE PHILIPPINES OFFERS ITS GUARANTEE TO ALLOW THE U.S. TO MANAGE AND DIRECT CERTAIN ACTIVITIES

INSIDE THESE FACILITIES, INCLUDING CERTAIN DESIGNATED PORTIONS OF SUBIC BAY, IN ORDER TO ENSURE UNHAMPERED MILITARY OPERATIONS FOR ITS FORCES.

AFTER THE FORMAL RELINQUISHMENT AND TURNOVER OF ALL BASE AREAS TO THE PHILIPPINE GOVERNMENT, THE UNITED STATES MAY ALSO
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BE ALLOWED TO OPERATE UNDER SUCH ARRANGEMENT AS LEASE BACK OR OTHER SIMILAR DEVICES CERTAIN TRACTS OF LAND SUCH AS GRANDE ISLAND, CAMP WALLACE, CAMP JOHN HAY, CROW VALLEY GUNNERY RANGE, SAN MIGUEL COMMUNICATIONS STATION, THE SUBIC WATERSHED, ETC., WITHIN THE RELINQUISHED BASE AREAS FOR CONTINUED U.S. USE, SUBJECT TO RULES AND OTHER PROVISIONS PROMULGATED BY PHILIPPINE AUTHORITIES IN CONSULTATION WITH APPROPRIATE U.S. AUTHORITIES WHICH WILL BE CONTAINED IN SEPARATELY WORKED-OUT DOCUMENTS BETWEEN THE TWO GOVERNMENTS.

ON THE COST-SHARING FOR THE SECURITY AND ADMINISTRATION OF THE MILITARY BASES AT CLARK AND SUBIC, THE ARMED FORCES OF THE PHILIPPINE WILL BE SPENDING FOR THE NEXT FIVE YEARS APPROXIMATELY \$15.0 M PER ANNUM AT CURRENT PRICES AND DOLLAR-PESO CONVERSION RATE. THE ESTIMATED TOTAL CAPITAL EXPENDITURE OF \$35.0M, ALTHOUGH INCORPORATED AS AN AMOUNT EQUIVALENT TO ROUGHLY \$7.0M PER YEAR, SPREAD OVER THE FIVE-YEAR PERIOD, MAY IN FACT BE SPENT WITHIN THE FIRST FEW YEARS OF IMPLEMENTATION. IN ANTICIPATION OF THE PROXIMATE INSTALLATION OF PHILIPPINE BASE COMMANDERS, THE PHILIPPINE GOVERNMENT WOULD WELCOME SPECIFIC SUGGESTIONS OR ARRANGEMENTS FROM THE UNITED STATES GOVERNMENT ON HOW THE CONCEPT OF COST-SHARING ON THE MAINTENANCE OF THE BASES COULD BE ACHIEVED.

ON THE QUESTION OF CRIMINAL JURISDICTION, THE PHILIPPINES
PROPOSES THAT WHEN JURISDICTION OVER A CRIMINAL OFFENSE COMMITTED
BY A MEMBER OF THE U.S. ARMED FORCES, A MEMBER OF THE CIVILIAN
COMPONENT OR A DEPENDENT, IS NOT RESOLVED BY AGREEMENT OF
BOTH GOVERNMENT, THE ISSUE SHALL BE DECIDED BY THE PHILLIPPINE
COURT WHICH HAS JURISDICTION OVER THE OFFENSE. IN THIS MANNER, THE
ISSUE WILL BE DECIDED OBJECTIVELY ON THE BASIS OF THE EVIDENCE.
END QUOTE
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